IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3270 OF 2006

Rashid Ali Mohammed Multani Applicant
versus
The State of Maharashtra Respondent

Shri A.P.Mundargi i/by Ganesh Gole for applicant
Shri P.A.Pol, APP present.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 8th September 2006

PC :

1. After hearing Shri Mundargi - learned Senior Counsel appearing for the applicant and learned APP for some time, the matter was adjourned on the last occasion to enable the APP to make statement on identical terms as in the other criminal application.

2. After taking instructions from Shri Suresh Nalawade, I.O. who is present in the Court, the APP makes a statement that within a period of three weeks from today the charge sheet would be filed in this CR No.100 of 2006.

3. In the light of this statement of APP, I am of the view that present application need not be entertained. In any event, the learned Trial Judge was not inclined to consider the application because investigations were still in progress.

4. In my view, between the date of rejection of application by the Trial Court i.e. 25th August 2006 till today the position has not changed. Investigations are in progress. However, in addition, the above statement is made by the APP after taking instructions.

5. In such circumstances, granting liberty to the applicant to move the Trial Court after charge sheet is filed, present application is disposed of. All contentions of both sides are expressly kept open.

(S.C.DHARMADHIKARI, J.)